

ORDINANCE NO. 17338-12-2006

AN ORDINANCE DECLARING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF FORT WORTH; PROVIDING FOR THE ANNEXATION OF AN APPROXIMATELY 184.139 ACRE TRACT OF LAND SITUATED IN THE S.E. MERRELL SURVEY, Abst. No. 1009 and the A.C.H. & B. SURVEY, Abst. No. 55, and the J.A. MCNUTT SURVEY, Abst. No. 1151, TARRANT COUNTY, TEXAS (CASE NO. AX-06-009) WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT CORPORATE BOUNDARY LIMITS OF FORT WORTH, TEXAS; PROVIDING THAT THE TERRITORY ANNEXED SHALL BEAR ITS PRO RATA PART OF TAXES; PROVIDING THAT THE INHABITANTS THEREOF SHALL HAVE ALL THE PRIVILEGES OF ALL THE CITIZENS OF FORT WORTH, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL AMEND EVERY PRIOR ORDINANCE IN CONFLICT HERewith; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES NOT IN DIRECT CONFLICT; PROVIDING FOR SEVERABILITY; AND NAMING AN EFFECTIVE DATE.

WHEREAS, a public hearing before the City Council of the City of Fort Worth, Texas, wherein all interested persons were provided an opportunity to be heard on the proposed annexation of the territory hereinafter described, was held in the City Council Chambers in the Municipal Office Building of Fort Worth, Texas, on the 14th day of November 2006; and

WHEREAS, a second public hearing before the City Council of the City of Fort Worth, Texas, wherein all interested persons were provided an opportunity to be heard on the proposed annexation of the territory hereinafter described, was held in the City Council Chambers in the Municipal Office Building of Fort Worth, Texas, on the 28th day of November 2006; and

WHEREAS, notice of the first such public hearing was published in a newspaper having general circulation in the City of Fort Worth, Texas, and in the hereinafter described territory, on the 3rd day of November 2006, and posted on the City of Fort Worth's Internet web site on the 3rd day of November 2006; and

WHEREAS, notice of the second such public hearing was published in a newspaper having general circulation in the City of Fort Worth, Texas, and in the hereinafter described territory on the 17th day of November 2006, and posted on the City of Fort Worth's Internet web site on the 15th day of November 2006; and

WHEREAS, prior to the posting and publication of the notices of public hearings, a Service Plan providing for the extension of municipal services into the hereinafter described territory was prepared for inspection by and explanation to the inhabitants of

the area to be annexed; and

WHEREAS, the population of the City of Fort Worth, Texas, is in excess of 100,000 inhabitants; and

WHEREAS, the hereinafter described territory lies within the exclusive extraterritorial jurisdiction of the City of Fort Worth, Texas; and

WHEREAS, the hereinafter described territory lies adjacent to and adjoins the City of Fort Worth, Texas; and

WHEREAS, the hereinafter described territory contains Approximately 184.139 acres of land (0.287 square miles) of land, more or less;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That the following described land and territory lying adjacent to and adjoining the City of Fort Worth, Texas is hereby added to and annexed to the City of Fort Worth, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Fort Worth, Texas, and the present corporate boundary limits of said City, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Fort Worth, Texas, to-wit:

TRACT A:

BEING a 165.457 acres situated in the S.E. MERRELL SURVEY, Abst. No. 1009 and the A.C.H. & B. SURVEY, Abst. No. 55, Tarrant County, Texas being a portion of that certain tract of land conveyed to Harbour Monticello Estates, Ltd. known as Parcel No. 1 by deed recorded in Volume 12837, Page 400, Deed Records, Tarrant County, Texas, said 165.457 acres being more particularly described, as follows:

BEGINNING at a 1/2" iron set in the north line of Boat Club Road, (Farm To Market No. 1220-100' R.O.W.) at the southwest corner of the herein described tract and in the west line of said A.C.H.&B. SURVEY;

THENCE North 00 degrees 34 minutes 58 seconds East, along the west line of said Harbour Monticello Estates, Ltd. tract passing the southeast and northeast corner of Lot 23, Block 1, WEST FORK ADDITION, an addition in Tarrant County, Texas according to the

plat recorded in Volume 388-173, Page 53, Plat Records, Tarrant County, Texas and passing the southeast and northeast corners of Lots 16 and 15, Block 1, WEST FORK ADDITION, an addition in Tarrant County, Texas according to the plat recorded in Volume 388-173, Page 52, Plat Records, Tarrant County, Texas and passing the southeast and northeast corners of Lot 14R1, Block 1, WEST FORK ADDITION, PHASE 2, an addition in Tarrant County, Texas according to the plat recorded in Plat Cabinet A, Slide 4338, Plat Records, Tarrant County, Texas, in all, 2538.82 feet to a 5/8" iron found in the south line of that certain tract of land conveyed to Hicks Road Investors, Ltd. by deed recorded in Volume 13867, Page 68, Deed Records, Tarrant County, Texas and the northeast corner of Lot 13R said WEST FORK ADDITION, PHASE 2 (P.C. A, S. 4338) from which a 1-1/2" pipe found bears North 89 degrees 38 minutes 23 seconds West, 33.43 feet;

THENCE South 89 degrees 38 minutes 37 seconds East, along the common line of said Harbour Monticello Estates, Ltd. and Hicks Road Investors, Ltd. tracts, at 2267.29 feet passing a 1/2" iron set (from which a capped Brooks Baker 5/8" iron found bears North 69 degrees 28 minutes 49 seconds West, 2.91 feet) in all a total distance of 3134.50 feet to a point in the west line of Lot 50-P, Block 3, HARBOUR VIEW ESTATES, an addition in Tarrant County, Texas according to the plat recorded in Plat Cabinet A, Slide 4488, Plat Records, Tarrant County, Texas;

THENCE along the west line of said Lot 50-P, as follows:
South 22 degrees 16 minutes 11 seconds West, passing the north line of Harbour Creek Court (a 60' R.O.W.), in all 282.40 feet to a 1/2" iron set in the south line of said Harbour Creek Court at the northwest corner of Lot 22-P, said HARBOUR VIEW ESTATES;

THENCE South 32 degrees 47 minutes 30 seconds West, along the west line of said HARBOUR VIEW ESTATES, 752.04 feet to a 1/2" iron set at the southwest corner of said Lot 22-P and the northwest corner of Lot 21-P;

THENCE along the west line of said Lot 21-P, as follows:
South 37 degrees 20 minutes 57 seconds West, 142.47 feet to a 1/2" iron set;
South 04 degrees 33 minutes 54 seconds East, 143.78 feet to a 1/2" iron set;
South 15 degrees 45 minutes 33 seconds East, 100.35 feet to a 1/2" iron set;
South 34 degrees 27 minutes 08 seconds East, 95.36 feet to a 1/2" iron set;
South 10 degrees 43 minutes 02 seconds East, 158.85 feet to a 1/2" iron set;
South 01 degrees 56 minutes 01 seconds East, 187.04 feet to a 1/2"

iron set;
 South 19 degrees 53 minutes 12 seconds East, 56.16 feet to a 1/2"
 iron set;
 South 64 degrees 01 minutes 30 seconds East, 218.17 feet to a 1/2"
 iron set;
 South 00 degrees 10 minutes 20 seconds West, 558.53 feet to a 1/2"
 iron set;
 South 56 degrees 28 minutes 25 seconds West, 282.78 feet to a 1/2"
 iron set;
 South 72 degrees 29 minutes 42 seconds West, 411.10 feet to a 1/2"
 iron set in the north line of said Boat Club Road at the beginning
 of a non-tangent curve to the left whose radius is 813.95 feet and
 whose long chord bears North 76 degrees 06 minutes 48 seconds West,
 381.68 feet;

THENCE Along the north line of said Boat Club Road as follows:
 Along said curve in a northwesterly direction through a central
 angle of 27 degrees 07 minutes 12 seconds, a distance of, 385.27
 feet to a concrete monument found at the end of said curve;
 North 89 degrees 43 minutes 48 seconds West, 1458.94 feet concrete
 monument found;
 North 85 degrees 39 minutes 18 seconds West, 392.90 feet to a 1/2"
 iron set;
 North 81 degrees 44 minutes 00 seconds West, 53.10 feet to the
 POINT OF BEGINNING and containing 165.457 acres of land.

TRACT B:

BEING 18.682 acres of land situated in the J.A. MCNUTT SURVEY,
 Abst. No. 1151, Tarrant County, Texas and being a portion of that
 certain tract of land described in deed to Harbour Monticello
 Estates, Ltd. known as Parcel No. 1 and recorded in Volume 12837,
 Page 400, Deed Records, Tarrant County, Texas, said 18.682 acres
 being more particularly described, as follows:

BEGINNING at a capped Brooks Baker 5/8" iron found in the south
 line of that certain tract of land described in deed to Texas
 Electric Service Co., and recorded in Volume 2701, Page 74, Deed
 Records, Tarrant County, Texas for the northeast corner of that
 certain tract of land described in deed to Hicks Road Investors,
 Ltd. And recorded on volume 13867, Page 68, Deed Records, Tarrant
 County, Texas;

THENCE South 89 degrees 12 minutes 05 seconds East, along the
 common line of said Harbour Monticello Estates, Ltd. and Texas
 Electric Service Company tracts, a distance of 1014.23 feet to a
 1/2" iron found at the northwest corner of Lot 50-P, Block 3,
 HARBOUR VIEW ESTATES, an addition to Tarrant County, Texas
 according to the plat recorded in Cabinet A, Slide 4488, Plat

Records, Tarrant County, Texas;

THENCE along the west line of said Lot 50-P, as follows:

South 03 degrees 27 minutes 40 seconds West, a distance of 180.00 feet to a 1/2" iron found;
 South 23 degrees 17 minutes 19 seconds West, a distance of 345.88 feet to a 1/2" iron found;
 South 00 degrees 10 minutes 46 seconds West, a distance of 371.20 feet to a 1/2" iron found;
 South 22 degrees 16 minutes 11 seconds West, a distance of 8.75 feet;

THENCE North 89 degrees 38 minutes 37 seconds West, leaving the west line of said Lot 50-P, a distance of 867.21 feet to a 1/2" iron rod found for the southeast corner of said Hicks Road Investors, Ltd. Tract;

THENCE North 00 degrees 20 minutes 01 seconds East, along the common line of said Harbour Monticello Estates, Ltd. And Hicks Road Investors, Ltd. Tracts, a distance of 865.42 feet to the POINT OF BEGINNING and containing 18.682 acres of land more or less.

SECTION 2.

That the above described territory is shown on Map Exhibit "A" which is attached hereto and expressly incorporated herein by reference for the purpose of illustrating and depicting the location of the hereinabove described territory.

SECTION 3.

That the above described territory hereby annexed shall be part of the City of Fort Worth, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Fort Worth, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens in accordance with the Service Plan and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

SECTION 4.

That the Service Plan attached hereto as Exhibit "X" was made available for inspection by and explanation to the inhabitants of the area to be annexed and is approved and incorporated into this ordinance for all purposes.

SECTION 5.

That this ordinance shall and does amend every prior ordinance in conflict herewith, but as to all other ordinances or sections of ordinances not in direct conflict, this ordinance shall be, and the same is hereby made cumulative.

SECTION 6.

That it is hereby declared to be the intent of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7.

That should this ordinance for any reason be ineffective as to any part or parts of the area hereby annexed to the City of Fort Worth, the ineffectiveness of this ordinance as to any such part or parts shall not affect the effectiveness of this ordinance as to the remainder of such area. The City Council hereby declares it to be its purpose to annex to the City of Fort Worth every part of the area described in Section 1 of this ordinance, regardless of whether any part of such described area is hereby not effectively annexed to the City. Provided, further, that if there is included within the description of territory set out in Section 1 of this ordinance to be annexed to the City of Fort Worth any area which is presently part of and included within the limits of the City of Fort Worth, or which is presently part of and included within the limits of any other city, town or village, or which is not within the City of Fort Worth's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted area were expressly described herein.

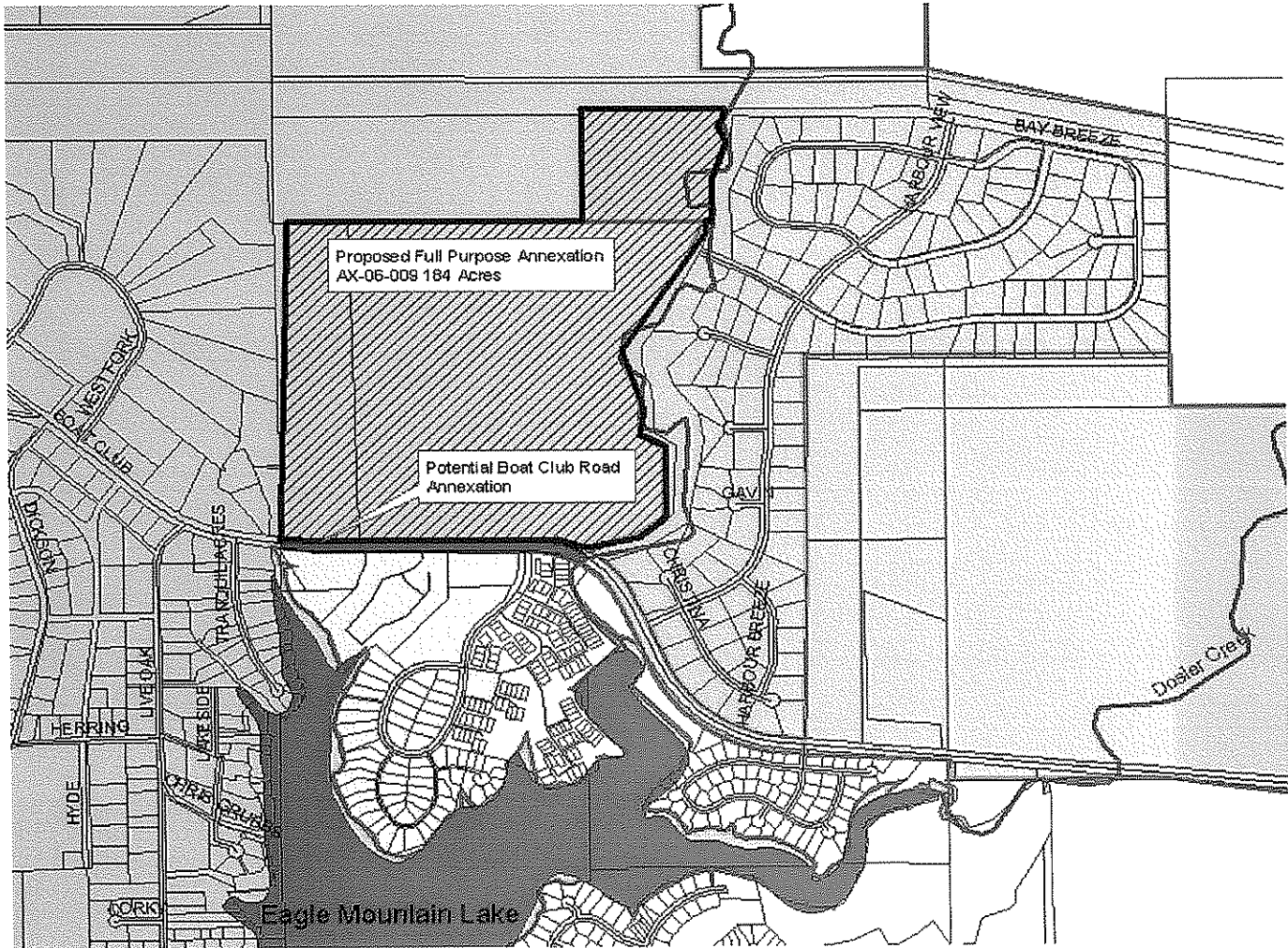
SECTION 8.

That this ordinance shall take effect upon adoption.

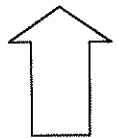
APPROVED AS TO FORM AND LEGALITY:


Sara Fullenwider, Assistant City Attorney

ADOPTED AND EFFECTIVE: December 19, 2006



**Annexation of 184.139 Acres
Council District -7**



Project Case # AX-06-009

Map Legend					
Fort Worth ETJ		Map References		Proposed Process Schedule	
Acres to be Annexed				1st public hearing	11/14/06
Contract in Lieu of annexation to Full Purpose Annexation				2nd public hearing	11/28/06
Contract in Lieu of annexation		Mapsco	31C	Date of Institution	12/19/06
Current Incorporated Area	331.259	TAD Map	2012-448		

CITY OF FORT WORTH, TEXAS
SERVICE PLAN FOR ANNEXED AREA

Property Subject to Plan: BEING 165.457 acres situated in the S.E. MERRELL SURVEY, Abst. No. 1009 and the A.C.H. & B. SURVEY, Abst. No. 55, Tarrant County, Texas being a portion of that certain tract of land conveyed to Harbour Monticello Estates, Ltd. known as Parcel No. 1 by deed recorded in Volume 12837, Page 400, Deed records, Tarrant County, Texas and an approximately 18.682 acres tract of land situated in the J.A. MCNUTT SURVEY, Abst. No. 1151, Tarrant County, Texas and being a portion of that certain tract of land described in deed to Harbour Monticello Estates, Ltd. known as Parcel No. 1 and recorded in Volume 12837, Page 400, Deed Records, Tarrant County, Texas

Location and Acreage: Approximately 184.139 acres of land in Tarrant County, located north of Boat Club Road and west of Harbour View Lane.

County: **TARRANT**

Municipal services to the Annexation Area will be furnished by or on behalf of the City of Fort Worth, Texas, at the following levels and in accordance with the following service plan programs:

1. PROGRAM FOR SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF THE ANNEXATION

The City will provide the following services in the Annexation Area on the effective date of the annexation, unless otherwise noted.

A. Police Protection

The Fort Worth Police Department will provide protection and law enforcement services in the Annexation Area commencing on the effective date of annexation. The services will include:

Normal patrols and responses to calls for service
Handling of offense and incident reports
Special units, such as traffic enforcement, criminal investigations, narcotics law enforcement, gang suppression, and crime response team deployment when required.

These services are provided on a citywide basis. The area will be combined with an existing Police Reporting Area (PRA R094). The area will be in Neighborhood Policing District 3 on Beat C13.

B. Fire Protection

Fire protection services will be provided by existing personnel and equipment of the Fort Worth Fire Department. These services will be provided based upon available water, road and street conditions, and distances from existing fire stations. Services will be provided to the annexation area commencing on the effective date of the annexation. These services include:

Basic Life Support (BLS) 1st responder emergency medical services
Fire suppression and rescue;
Hazardous materials mitigation and regulation;
Dive rescue;
Technical rescue;
Fire Safety Education;
Aircraft/rescue/ firefighting;

Fire protection system plan review;
Inspections;

These services are provided on a citywide basis. All Fort Worth firefighters are certified by the Texas Commission on Fire Protection.

On the date of annexation, the first responding fire services will come from Fire Station 40 located at 8510 Spring Street. The second responding fire company will be from Fire Station 13 located at 5333 Lea Crest Lane. The Fire Department estimates the response time to be 7.5 and 12.8 minutes, respectively.

C. Emergency Medical Services – Basic Life Support

Basic Life Support (BLS) emergency medical services by existing personnel and equipment of the Fort Worth Fire Department will be provided to the annexation area commencing on the effective date of the annexation. The Fort Worth Fire Department serves as the first responder on life threatening medical emergencies as a part of the MedStar system. All Fort Worth Fire Department personnel are certified as Emergency Medical Technician basic level or higher. All engines, trucks, and rescue units carry Automated External Defibrillators for use with victims who are in cardiac arrest.

Emergency Medical Services – Advanced Life Support

Advanced Life Support response provided by MedStar is greater than 9 minutes to the proposed annexation area with a potential of at least a 30-minute transport time to the nearest trauma center.

D. Solid Waste Collection

Solid waste collection shall be provided to the Annexation Area in accordance with existing City ordinances and policies commencing on the effective date of the annexation. For residential collections, private solid waste service providers under contract with the City will provide services. Residential customers using the services of a privately owned solid waste management service provider other than the City's contracted service provider may continue to use such services until the second anniversary of the annexation.

At the discretion of the customer, private service providers may provide solid waste collection services for businesses and multi-family dwelling complexes having three or more units.

E. Operation and Maintenance of Water and Wastewater Facilities

The annexation Area is located in the CCN of the City of Fort Worth. The City will provide water and sewer service to the Annexation Area, at the developer's cost, in accordance with the "Installation Policy of Community Facilities".

F. Operation and Maintenance of Roads and Streets, Including Street Lighting

The following services will be provided in the Annexation Area commencing on the effective date of the annexation, unless otherwise noted.

The Transportation and Public Works Department will assume maintenance of public streets over which the City has jurisdiction. These services include emergency pavement repair and repair maintenance of public streets on an as-needed basis. Public streets will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized on a Citywide basis and scheduled based on a variety of factors, including surface condition, ride ability, age, traffic volume, functional class, and available funding. Any necessary rehabilitation or reconstruction will be considered and prioritized on a citywide basis.

Streetlights installed on improved public streets shall be maintained by the City of Fort Worth in accordance with current City policies. Other street lighting shall not be maintained by the City of Fort Worth.

The Transportation and Public Works Department will also provide regulatory signage services in the Annexation Area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service is provided 24 hours a day, 365 days a year for emergency sign repair. For major arterials and collectors, the marking of streets is on an 18-month frequency. All improved intersections and roadways are striped upon improvement. All roadways are re-striped and remarked as needed.

G. Operation and Maintenance of Parks, Playgrounds and Swimming Pools

Residents of this property may utilize all existing parks and community service facilities throughout the City, beginning with the effective date of the annexation. Existing parks, playgrounds, swimming pools and other recreational and community facilities within the Annexation Area that are private facilities will be unaffected by the annexation.

Existing parks, playgrounds, swimming pools and other recreational and community facilities within this property shall, upon deeding to and acceptance by the City and appropriations for maintenance and operations, be operated by the City of Fort Worth, but not otherwise.

Additional medians and/or rights-of-way with turf or plantings, if not maintained by Developer and/or Homeowner's Association, upon acceptance by City will be maintained by the City and appropriations for maintenance will be needed.

H. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service.

In the event the City acquires any other facilities, buildings or services necessary for municipal services located in the Annexation Area, the appropriate City department will provide maintenance services.

2. PROGRAM FOR PROVIDING ADDITIONAL SERVICES

In addition to the services identified above, the following services will be provided in the Annexation Area on the effective date of the annexation, unless otherwise noted:

- A. The residents of the Annexation Area will receive the following library services from the Fort Worth Public Library commencing on the effective date of the annexation.
 - Genealogy, Local History and Archival Collections
 - Youth & Teen Services
 - Interlibrary Loan to borrow materials from collections of 10,000 libraries
 - Telephone, Mail and E-mail Reference Services
 - Remote access to over 50 online databases
 - U. S., Texas and City of Fort Worth documents
 - Free computer classes for the public
 - Outreach Services for children, young adults and seniors
 - Large Print Books
- B. The City will provide general municipal administration and administrative services.
- C. The Annexation Area will be included in the Transportation and Public Works Department's Storm Water Utility service area. Properties in this area will be assessed a monthly fee based on the amount of impervious surface. The fees will cover the direct and indirect costs of storm water management services, including routine maintenance (at current citywide service levels) for all public drainage channels and for all public storm sewers within dedicated public drainage

easements. The Storm Water Utility will also provide watershed development review and inspection.

The Environmental Management Department will provide the following services:

- Emergency spills and pollution complaints response;
- Storm sewer discharge pollution prevention Water quality assessments for creeks.

The Department of Engineering will provide information relating to flood plains.

- D. Enforcement of the City's code and environmental health ordinances and regulations, that include but not limited to: high weeds and grass, trash and debris, solid waste, trash carts and illegal dumping, junked and abandoned vehicles, zoning, food handlers, and animal control will be provided within the annexation area on the effective date of the annexation. Complaints of ordinance or regulation violations within the area will be answered and investigated by existing personnel within the appropriate department beginning on the effective date of the annexation.
- E. The City's building, plumbing, mechanical, electrical, and all other construction codes will be enforced within the Annexation Area beginning with the effective date of the annexation.
- F. The City's zoning, subdivision, sign, manufactured housing, junk yard and other ordinances shall be enforced in the Annexation Area beginning on the effective date of the annexation.
- G. All inspection services furnished by the City of Fort Worth, but not mentioned above, will be provided to the Annexation Area beginning on the effective date of the annexation.

3. PROGRAM FOR PROVIDING FULL MUNICIPAL SERVICES WITHIN 2-½ YEARS

In addition to the services listed above, the City will provide full municipal services to the Annexation Area commensurate with the levels of services provided in other parts of the City except if differences in topography, land use, and population density constitute a sufficient basis for providing different levels of service, no later than two and one-half (2-½) years after the effective date of the annexation. If full municipal services cannot be reasonably provided within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years after the effective date of the annexation, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

"Full municipal services" are services provided by the annexing municipality within its full-purpose boundaries excluding gas or electrical service. The City shall provide the services by any of the methods by which it extends the services to any other area of the City.

4. CAPITAL IMPROVEMENTS PROGRAM

The developer will initiate acquisition or construction of capital improvements necessary for providing full municipal services adequate to serve the Annexation Area. Any such construction shall be substantially completed within two and one-half (2-½) years after the effective date of the annexation. If capital improvements necessary for providing full municipal services for the Annexation Area cannot be reasonably constructed within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

Acquisition or construction shall be accomplished by purchase, lease, or other contract. Any such construction shall be accomplished in a continuous process and shall be completed as soon as reasonably possible, consistent with generally accepted local engineering and architectural standards and practices.

- A. Police Protection. No capital improvements are necessary at this time to provide police protection to the Annexation Area. Need for construction of new facilities will be assessed

periodically based on population growth, predicted growth and call volume.

- A. Fire Protection. Currently, Fire Station 40 has a 2.2 minute response time to the Annexation Area. No capital improvements are necessary at this time to provide fire protection to the Annexation Area. Need for construction of new facilities will be assessed periodically based on population growth, predicted growth, and call volume.
- B. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services to the Annexation Area.
- C. Water and Wastewater. As development and construction of subdivisions commence within this property, the property owner in accordance with provisions of the City's Subdivision Ordinance and other applicable policies, ordinances, and regulations will extend water and sewer mains. City participation in the costs of these extensions shall be in accordance with applicable City policies, ordinances, and regulations. Such extensions, by the developer, will commence within two and one-half (2-1/2) years from the effective date of the annexation ordinance.

Following is a summary of the Water and Wastewater Installation Policy as set out in Section III of the City's Policy for the "Installation Policy of Community Facilities".

The developer shall cause to be constructed all water and wastewater facilities required to provide service to the development, subdivision, or lot/tract. The developer shall be responsible for 100% of the cost for water and wastewater facilities designed to provide service to the proposed development. If larger facilities are required based on comprehensive study, the additional incremental cost shall be borne by the City.

Connection to existing City water mains for domestic water service to serve residential, commercial, and industrial uses within the Annexation Area will be provided in accordance with existing City ordinances and policies. Upon connection to existing mains, water will be provided at rates established by City ordinances for such service at the normal rates charged throughout the City.

Connections to existing City sanitary sewer mains for sanitary sewage service in the Annexation Area will be provided in accordance with existing City ordinances and policies. Upon connection, to existing sanitary sewer mains, sanitary sewage service will be provided at rates established by City ordinances for such service at the normal rates charged throughout the City.

- E. Roads. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.
- F. Storm Water Utility. No capital improvements are necessary at this time to provide drainage services.
- G. Street Lighting. It is anticipated that new subdivisions in the Annexation Area will install street lighting in accordance with the City's standard policies and procedures. In other cases, the City will consider installation of additional street lighting in the Annexation Area upon request, with priority given to street lighting for traffic safety. Provision of street lighting will be in accordance with the City's street lighting policies, and those of the providing utility.
- H. Parks, Playgrounds and Swimming Pools. Capital improvements such as parkland acquisition and development of facilities will be dictated by future land use of the area, goals established by the Park, Recreation and Open Space Master Plan and appropriation of resources. Should additional residential development occur, parkland dedication, neighborhood park development and neighborhood park infrastructure or payment in lieu thereof will be required in accordance with the Park Policy of the Subdivision Ordinance. Currently, there are no roads or streets in the annexation area.

- I. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the Annexation Area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

5. IMPACT FEES

Notwithstanding any other provision of this service plan, a landowner within the Annexation Area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code governing impact fees, unless otherwise agreed to by the landowner.

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 12/19/2006 - Ordinance No. 17338-12-2006

DATE: Tuesday, December 19, 2006
LOG NAME: 06ADOPT009

REFERENCE NO.: PZ-2712

SUBJECT:

Institute and Adopt Ordinance for the Voluntary Full Purpose Annexation of Approximately 184.139 Acres of Land in Tarrant County, or .288 Square Miles (More or Less) Located North of Boat Club Road and West of Harbour View Lane (AX-06-009 La Fronteria)

RECOMMENDATION:

It is recommended that the City Council institute and consider the adoption of an ordinance annexing approximately 184.139 acres of land in Tarrant County, located North of Boat Club Road and West of Harbour View Lane.

DISCUSSION:

Welch Engineering, representing Westwood Group Development, has requested the voluntary full purpose annexation of a 184.139 acre tract in the S.E. Merrell Survey, Abstract No. 1009, the A.C.H. & B. Survey, Abstract No. 55, and J.A. MC Nutt Survey, Abstract No. 1151.

On June 21, 2004 the City entered into an agreement in lieu of annexation on approximately 165 of these acres. A provision of the agreement was that it could be annexed for full purposes upon request of the property owner.

On October 31, 2006 (M & C PZ-2699), the City Council approved the timetable for annexing the above referenced property into the City of Fort Worth. Public hearings concerning the annexation request were held as required by state law on November 14 and November 28, 2006. The property is currently vacant; its proposed use is a single-family residential subdivision.

The subject property is situated within the exclusive extraterritorial jurisdiction of the City of Fort Worth. The southern boundary of this property is contiguous with the City of Fort Worth.

At the Pre-Council meeting on October 24, 2006 a Fiscal Impact Analysis for this proposed annexation was presented. Beginning with the first year of annexation this development is expected to have a positive impact to the General Fund.

OPERATIONAL IMPACT – The Police Department has estimated an impact of \$816 due to anticipated calls for service during the first year to the proposed annexation area.

LOCATION – The subject property is located North of Boat Club Road and West of Harbour View Lane

If annexed, this property will become a part of COUNCIL DISTRICT 7.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that funds are available in the current operating budget, as appropriated in the various City departments of the General Fund.

TO Fund/Account/Centers**FROM Fund/Account/Centers**

Submitted for City Manager's Office by:

Dale Fisseler (6140)

Originating Department Head:

Bob Riley (8901)

Additional Information Contact:Allison Gray (8030)
